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Report of the International Atomic Energy Agency

Brazil, Lithuania, Republic of Korea and Ukraine: draft resolution

Report of the International Atomic Energy Agency

The General Assembly,

Having received the report of the International Atomic Energy Agency to the General Assembly for the year 1998,[1]

Noting the statement of the Director General of the International Atomic Energy Agency,[2] in which he provided additional information on the main developments in the activities of the Agency during 1999,

Recognizing the importance of the work of the Agency in promoting the further application of nuclear energy for peaceful purposes as envisaged in the statute of the Agency and in accordance with the inalienable right of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons[3] and other relevant internationally legally binding agreements that have concluded relevant safeguards agreements with the Agency to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II and other relevant articles of the Treaty, and with the objectives and purposes thereof,

Conscious of the importance of the work of the Agency in the implementation of the safeguards provisions of the Treaty on the Non-Proliferation of Nuclear Weapons and other international treaties, conventions and agreements designed to achieve similar objectives, as well as in ensuring, as far as it is able, that the assistance provided by the Agency or at its request or under its supervision or control is not used in such a way as to further any military purpose, as stated in article II of its statute,

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[1] International Atomic Energy Agency, *The Annual Report for 1998* (Vienna, July 1999) (GC(43)/4), transmitted to the members of the General Assembly by a note by the Secretary-General (A/54/215).

[2] *Official Records of the General Assembly, Fifty-fourth Session, Plenary Meetings*, __ meeting (A/54/PV.__).

[3] United Nations, *Treaty Series*, vol. 729, No. 10485.

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Reaffirming that the Agency is the competent authority responsible for verifying and assuring, in accordance with the statute and the safeguards system of the Agency, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under article III, paragraph 1, of the Treaty on the Non-Proliferation of Nuclear Weapons, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices, and also reaffirming that nothing should be done to undermine the authority of the Agency in this regard and that States parties that have concerns regarding non-compliance with the safeguards agreement of the Treaty by States parties should direct such concerns, along with supporting evidence and information, to the Agency to consider, investigate, draw conclusions and decide on necessary action in accordance with its mandate,

Stressing the need for the highest standards of safety in the design and operation of nuclear installations and in peaceful nuclear activities so as to minimize risks to life, health and the environment, and recognizing that a good safety record relies on good technology, good regulatory practices and well qualified and trained staff, as well as international cooperation,

Considering that an expansion of technical cooperation activities relating to the peaceful uses of nuclear energy will contribute to the well-being of the peoples of the world, recognizing the special needs of the developing countries for technical assistance from the Agency and the importance of funding in order to benefit effectively from the transfer and application of nuclear technology for peaceful purposes as well as from the contribution of nuclear energy to their economic development, and desiring that the resources of the Agency for technical cooperation activities be assured, predictable and sufficient to meet the objectives mandated in article II of its statute,

Recognizing the importance of the work of the Agency on nuclear energy, applications of nuclear methods and techniques, nuclear safety, radiological protection and radioactive waste management, including its work directed towards assisting developing countries in all these fields,

Taking note of the report of the Director General to the General Conference of the International Atomic Energy Agency[4] on the implementation of Security Council resolutions relating to Iraq, of his reports to the Security Council of 15 January,[5] 9 April,[6] 27 July,[7] 7 October[8] and 14 December 1998,[9] of 7 April 1999[10] and of resolution GC(43)/RES/22 of 1 October 1999 of the General Conference,[11]

Welcoming the convening of the second Scientific Forum, on "Sustainable Development: a Role for Nuclear Power?", during the forty-third regular session of the General Conference of the Agency,

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[4] GC(43)/16

[5] See *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/38

[6] Ibid., *Supplement for April, May and June 1998*, document S/1998/312

[7] Ibid., *Supplement for July, August and September 1998*, document S/1998/694

[8] Ibid., *Supplement for October, November and December 1998*, document S/1998/927

[9] S/1998/1172

[10] S/1999/393

[11] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-third Regular Session, 27 September-1 October 1999* (GC(43)/RES/DEC(1999))

Taking note of resolutions GOV/2711 of 21 March and GOV/2742 of 10 June 1994 of the Board of Governors and GC(43)/RES/3 of 1 October 1999 of the General Conference of the Agency in connection with the implementation of the Agreement between the Government of the Democratic People's Republic of Korea and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons,[12] the statements by the President of the Security Council of 31 March,[13] 30 May[14] and 4 November 1994[15] and the authorization of the Board of Governors, on 11 November 1994, to the Director General, to carry out all the tasks requested of the Agency in the statement by the President of the Security Council of 4 November 1994,

Taking note also of resolutions GC(43)/RES/8 on amendment of article XIV.A of the statute of the Agency, GC(43)/RES/10 on the safety of radiation sources and the security of radioactive materials, GC(43)/RES/11 on the safety of transport of radioactive materials, GC(43)/RES/12 on the radiological protection of patients, GC(43)/RES/13 on measures to strengthen international cooperation in nuclear radiation and waste safety, GC(43)/RES/14 on strengthening the technical cooperation activities of the Agency, GC(43)/RES/15 on the plan for producing potable water economically, GC(43)/RES/16 on extensive use of isotope hydrology for water resources management, GC(43)/RES/17 on strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Protocol, GC(43)/RES/18 on measures against illicit trafficking in nuclear materials and other radioactive sources and GC(43)/RES/23 on application of Agency safeguards in the Middle East, adopted on 1 October 1999 by the General Conference of the Agency at its forty-third regular session,

Taking note further of resolution GC(43)/RES/20 on the staffing of the Agency's secretariat, in which the General Conference called on developing and under-represented Member States to encourage well qualified candidates to apply for vacant posts in the Agency, and considering the related resolution GC(43)/RES/21 on women in the secretariat, in which the General Conference called on the Director General to further integrate the Platform for Action of the Fourth World Conference on Women[16] into the Agency's relevant policies and programmes, and noted the intention of the Agency's secretariat to participate in the forthcoming review at the Fifth World Conference on Women, to be held in the year 2000,

Recalling resolution GC(43)/RES/19 on amendment of article VI of the statute and the statement by the President of the forty-third regular session of the General Conference of the Agency with respect to article VI, adopted on 1 October 1999 by the General Conference,

Noting the statement by the President of the forty-third regular session of the General Conference of the Agency, which was endorsed by the General Conference at its tenth plenary meeting and issued under the item concerning Israeli nuclear capabilities and threat, that:

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[12] International Atomic Energy Agency, INFCIRC/403.

[13] *Resolutions and Decisions of the Security Council, 1994*, document S/PRST/1994/13.

[14] Ibid., document S/PRST/1994/28.

[15] Ibid., document S/PRST/1994/64.

[16] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

"The General Conference recalls the statement by the President of the thirty-sixth session of the General Conference in 1992, concerning the item entitled 'Israeli nuclear capabilities and threat'. That statement considered it desirable not to consider that item at the thirty-seventh session. The General Conference also recalls the statement by the President of the forty-second session, in 1998, concerning the same agenda item. At the forty-third session, the item was, at the request of certain member States, included again in the agenda. The item was discussed. The President notes that certain member States intend to include the item in the provisional agenda of the forty-fourth regular session of the General Conference",

1. *Takes note* of the report of the International Atomic Energy Agency;[1]

2. *Affirms its confidence* in the role of the Agency in the application of nuclear energy for peaceful purposes;

3. *Takes note* of the adoption by the General Conference of the Agency of resolution GC(43)/RES/19 on amendment of article VI of the statute and the accompanying statement by the President of the forty-third regular session of the General Conference of the Agency relating to the expansion of the membership of the Board of Governors of the Agency from 35 to 43 following the allocation of each member State to one of the areas listed in article VI, and recalls that the report by the Board of Governors as contained in document GC(43)/RES/12 includes criteria and indicators to be used as guidelines in designating members to the Board of Governors;

4. *Welcomes* the adoption by the General Conference of the Agency of resolution GC(43)/RES/8 on amendment of article XIV.A of the statute, which will provide for biennial budgeting by the Agency;

5. *Also welcomes* the measures and decisions taken by the Agency to maintain and strengthen the effectiveness and cost-efficiency of its integrated safeguards system in conformity with the statute of the Agency, in particular, stressing the importance of the Model Additional Protocol approved on 15 May 1997, affirms that strengthening the effectiveness and improving the efficiency of the safeguards system with a view to detecting undeclared nuclear activities must be implemented rapidly and universally by all concerned States and other parties in compliance with their respective international commitments, and requests all concerned States and other parties to safeguards agreements to conclude additional protocols without delay;

6. *Urges* all States to strive for effective and harmonious international cooperation in carrying out the work of the Agency, pursuant to its statute, in promoting the use of nuclear energy and the application of the necessary measures to strengthen further the safety of nuclear installations and to minimize risks to life, health and the environment, in strengthening technical assistance and cooperation for developing countries and in ensuring the effectiveness and efficiency of the safeguards system of the Agency;

7. *Welcomes* the measures and decisions taken by the Agency to strengthen and fund its technical cooperation activities, which should contribute to achieving sustainable development in developing countries, and calls upon States to cooperate in contributing to and in implementing the measures and decisions pursuant thereto;

8. *Commends* the Director General and the secretariat of the Agency for their continuing, impartial efforts to implement the safeguards agreement still in force between the Agency and the Democratic People's Republic of Korea, recognizes the important role of the Agency in monitoring the freeze of nuclear facilities in the Democratic People's Republic of Korea as requested by the Security Council, expresses deep concern about the

continuing non-compliance of the Democratic People's Republic of Korea with the safeguards agreement, in spite of repeated calls by the international community for such compliance, calls upon the Democratic People's Republic of Korea to comply fully with that safeguards agreement and, to this end, urges it to cooperate fully with the Agency in the implementation of the safeguards agreement and to take all steps the Agency may deem necessary to preserve all information relevant to verifying the accuracy and completeness of the initial report of the Democratic People's Republic of Korea on the inventory of nuclear material subject to safeguards, until the Democratic People's Republic of Korea comes into full compliance with its safeguards agreement;

9. *Also commends* the Director General of the Agency and his staff for their strenuous efforts to implement Security Council resolutions 687 (1991) of 3 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991 and 1051 (1996) of 27 March 1996, stresses the need for full implementation by Iraq of all relevant Security Council resolutions, stresses that the Agency's ongoing monitoring and verification activities should be resumed without delay, and also stresses that it is essential that the basis for this resumption preserve the Agency's rights specified in its ongoing monitoring and verification plan and that greater transparency by Iraq in its dealings with the Agency would contribute greatly to the resolution of the few remaining questions and concerns in the framework of the plan;

10. *Welcomes* the entry into force on 24 October 1996 of the Convention on Nuclear Safety,[17] appeals to all States to become parties to the Convention so that it obtains the widest possible adherence, and expresses its satisfaction with the outcome of the first review meeting of the contracting parties to the Convention, held in April 1999, and looks forward to the report from the second review meeting, expecting safety improvements, in particular in all areas where the first review meeting found that there was room for such improvements;

11. *Also welcomes* the measures taken by the Agency in support of efforts to prevent illicit trafficking in nuclear materials and other radioactive sources, and, in this context, decides to bear in mind, while drafting an international convention on the suppression of acts of nuclear terrorism, the activities of the Agency in the prevention and combating of illicit trafficking in nuclear material and other radioactive materials;

12. *Requests* the Secretary-General to transmit to the Director General of the Agency the records of the fifty-fourth session of the General Assembly relating to the activities of the Agency.

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[17] International Atomic Energy Agency, INFCIRC/449.